

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

UNITED STATES OF AMERICA

vs.

TREMAINE K. GRAHAM

)
)
)
)
)
)

CR. NO. 6:03-cr-1092-HMH-10

**MEMORANDUM IN SUPPORT OF
MOTION FOR RELIEF UNDER
FIRST STEP ACT OF 2018**

The Defendant, Tremayne K. Graham, filed a motion under section 404(b) of the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194 (enacted Dec. 21, 2018), seeking a reduction of sentence. This Court issued an Opinion and Order April 30, 2020, finding that Graham had been convicted of a covered offense under the First Step Act and could be considered for a reduced incarceration sentence. The Court asked that the parties file any pertinent information for its consideration by May 29, 2020. Counsel filed a Motion for Extension of Time to File a Response that was granted by the Court.

Graham is currently serving a sentence of life plus twenty-four (24) months consecutive for conspiracy to possess with intent to distribute 5 kilograms or more of cocaine and 50 grams or more of cocaine base, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846; possession with intent to distribute 5 kilograms or more of cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A); money laundering, in violation of 18 U.S.C. § 1956(h); maintaining a residence to sell/store cocaine, in violation of 18 U.S.C. §§ 856(a)(1) and 2 and 18 U.S.C. § 2; and failure to appear for court/hearing, in violation of 21 U.S.C. § 3146(a)(1). He is currently at Butner Medium Federal Correctional Institution in Butner, North Carolina, with no release date.

In the almost 15 years that he has been incarcerated, Graham has taken drug education classes as well as classes on parenting, anger management, and various fitness programs. He has

acted as a math co-facilitator and a volunteer General Equivalency Diploma (“GED”) Instructor. *See* ECF No. 1174, Attachment 6. Given the life sentence that Graham is serving, it would be easy, and maybe even understandable, for him to have negative attitude about life. Instead, he has been helping others with their education and serving as a mentor. He has had only minor disciplinary factors.

Graham was 32 years old at the time he was sentenced. He is currently 46 years old. The June 24, 2019, National Vital Statistics Report puts the life expectancy of Graham, a black male, to be about 31 more years. *See* https://www.cdc.gov/nchs/data/nvsr/nvsr68/nvsr68_07-508.pdf. There is a sentence between the almost 15 years he has already served and life, that would satisfy the § 3553(a) factors. Attached to this memo is a letter from Graham relating his concerns about potential exposure to COVID-19 as well as an additional letter of recommendation. Graham attached additional letters to his initial motion for relief.

Given the change in statutory penalty, Graham is asking the Court to consider a reduced sentence.

Respectfully submitted,

s/ Lora Blanchard
Lora Blanchard (Fed. Bar # 9677)
Assistant Federal Public Defender
75 Beattie Place, Suite 950
Greenville, South Carolina 29601
(864) 235-8714

June 12, 2020